

Changes to H.R. 2971
As included in Mr. Shaw's amendment in the nature of a substitute

Section 101: Added clarification that restrictions on sale, purchase and display to the general public of SSNs by government agencies applies only to SSNs the government requires the individual to disclose.

Added exception to restrictions on sale, purchase and display to the general public for compliance with a tax law.

Corrected reference to the Fair Credit Reporting Act and clarified that SSNs sold or made available to credit reporting agencies may be used by the credit reporting agency only for permissible purposes for which a full credit report may be released.

Added provision requiring an individual to transmit his or her SSN over the Internet without reasonable provisions to ensure the SSN is encrypted or otherwise secured from disclosure shall be treated as a prohibited display to the general public.

Added that the restrictions on sale and display to the general public of SSNs provided by this Act shall not override more stringent restrictions and limitations on SSN sale or display to the general public currently in federal law.

Modified the effective date so that the U.S. Attorney General has 18 calendar months following the date of enactment to issue regulations. Clarified that the Commissioner of Social Security also must issue regulations by the 18th calendar month following the date of enactment.

Added clarification that restrictions on sale and display to the public of SSNs applies only to records generated after the provision becomes effective.

Modified prohibitions to permit sale, purchase, and display to the general public of the last 4 digits of SSNs for 6 years after the deadline for issuance of regulations.

Section 102: Added to the list of those with whom the Attorney General must consult in developing regulations to include the Secretary of the Treasury, Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, and representatives of the State insurance commissioners as designated by the National Association of Insurance Commissioners.

Gives the U.S. Attorney General the ability to delegate its rulemaking authority to other government agencies as determined appropriate by the Attorney General.

Requires the U.S. Attorney General to facilitate coordination and consistency of regulation issuance among agencies.

Added risk of identity theft to the factors the U.S. Attorney General must consider in authorizing the sale, purchase, and display to the general public of SSNs.

Deleted the qualifier “undue” preceding the list of risks the U.S. Attorney General must consider in authorizing the sale, purchase, and display to the general public of SSNs and replaced it with “an unreasonable” risk.

Clarified that the U.S. Attorney General must consider the costs and benefits to the public, governments, businesses, etc. before authorizing the sale, purchase, or display of to the general public of SSNs for purposes other than law enforcement or national security.

Section 104: Added that partial SSNs may not be displayed on driver’s licenses or motor vehicle registrations.

Added that full or partial SSNs may not be conveyed on driver’s licenses or motor vehicle registrations using magnetic strips, bar codes, or other means of communication.

Section 105: Moved prohibition on display of SSNs on cards or tags by private sector employers (or their agents) to section 108.

Section 107: Added new section requiring government agencies maintaining SSNs to safeguard them from unauthorized access by employees or others.

Section 108 (previously section 107): Modified to prohibit sale, or purchase partial SSNs.

Added exception to prohibitions on sale, purchase, and display to the general public of SSNs for the last 4 digits of the SSN for 6 years after the deadline for issuance of regulations.

Clarified that definitions of “sell” and “purchase” do not include the sale, lease, merger, transfer, or exchange of a trade or business.

Added exception to the prohibitions on sale, purchase and display to the general public of SSNs for compliance with tax laws.

Added exception for sale or purchase to or by a consumer reporting agency for use or disclosure only for permissible purposes for which a full credit report may be released.

Modified exception for research to state it applies to research conducted for the public good.

Added provision that requiring an individual to transmit SSNs over the Internet without reasonable provisions to ensure the SSN is encrypted or otherwise secured from disclosure shall be treated as a prohibited display to the general public.

Added prohibition on submitting another individual's SSN to government agencies without being required to do so or without the individual's written permission.

Inserted new provision to require persons maintaining SSNs to safeguard them from unauthorized access by employees or others.

Relocated the provision from section 105 regarding prohibition on display of full or partial SSNs on cards or tags by private sector employers' (or their agents).

Added provision prohibiting display of full or partial SSNs (including by means of magnetic strips, bar codes or other communications) on cards or tags issued to individuals to access goods or services.

Added that the restrictions on sale, purchase, and display to the general public of SSNs provided by this Act shall not override more stringent restrictions and limitations on SSN sale or display to the general public currently in federal law.

Section 108: Renumbered as section 109.

Section 109: Renumbered as section 110.

Technical changes: Several changes to correct cross references in the bill.